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5 Attorney for Plaintiff,
MATTHEW WOECK

7 IN THE UNITED STATES DISTRICT COURT
8 EASTERN DISTRICT OF CALIFORNIA

9 MATTHEW WOECK,

Case No.: 2:21-cv-02257-CKD

10 Plaintiff,

STIPULATION AND ORDER FOR THE
AWARD OF ATTORNEY FEES PURSUANT
TO THE EQUAL ACCESS TO JUSTICE
ACT, 28 U.S.C. § 2412

11 v.

12 KILOLO KIJAKAZI,
13 Acting Commissioner of the Social Security
Administration,

14 Defendant.

15 IT IS HEREBY STIPULATED by and between the parties through their undersigned
16 counsel, subject to the approval of the Court, that Plaintiff be awarded attorney fees in the above-
17 entitled action in the amount of \$1,200.00 under the Equal Access to Justice Act (EAJA), 28 U.S.C.
18 § 2412(d). This amount represents compensation for all legal services and expenses incurred on
19 behalf of Plaintiff by counsel in connection with this civil action.

20 Upon the Court's issuance of an order granting EAJA fees to Plaintiff, the government will
21 determine the issue of Plaintiff's assignment of EAJA fees to Plaintiff's attorney. Pursuant to Astrue
22 v. Ratliff, 560 U.S. 586, 597-598 (2010), the ability to honor the assignment will depend on if the
23 fees are subject to any offset allowed under the United States Department of the Treasury's Offset
24 Program. After the order for EAJA fees is entered, the government will determine whether they are
25 subject to any offset.

26 Fees shall be made payable to Plaintiff, but if the Department of the Treasury determines
27 that Plaintiff does not owe a federal debt, then the government will cause the payment of fees to be

1 made directly to Plaintiff's attorney, LAW OFFICE OF JARED T. WALKER, P.C., pursuant to the
2 assignment executed by Plaintiff. Any payments made to Plaintiff will be delivered to JARED T.
3 WALKER.

4 This stipulation constitutes a settlement of Plaintiff's request for EAJA attorney fees and
5 does not constitute an admission of liability on the part of defendant under the EAJA or otherwise.
6 Payment of the agreed amount will constitute a complete release from, and bar to, any and all claims
7 that Plaintiff and/or Plaintiff's attorney, including LAW OFFICE OF JARED T. WALKER, P.C.,
8 may have relating to EAJA attorney fees in connection with this action.

9 This award is without prejudice to the rights of Plaintiff's counsel to seek Social Security
10 attorney fees under 42 U.S.C. § 406(b), subject to the savings clause provisions of the EAJA.

11 Dated: June 30, 2022

Respectfully submitted,

12 /s/ Jared Walker

13 JARED T. WALKER,
Attorney for Plaintiff

14 SO STIPULATED:

15 PHILLIP A. TALBERT
United States Attorney
16 PETER THOMPSON
17 Regional Chief Counsel, Region IX
Social Security Administration

18 By: /s/ *Marcelo Illarmo
19 MARCELO ILLARMO
20 (*authorized by e-mail on 7/01/2022)
Special Assistant United States Attorney

21 Attorneys for Defendant

ORDER

Based upon the parties' Stipulation for Award of Attorney Fees pursuant to the Equal Access to Justice Act (EAJA),

IT IS ORDERED that Plaintiff is awarded **\$1,200.00** under 28 U.S.C. § 2412(d), inclusive of all amounts claimed under the EAJA, subject to and in accordance with the terms of the parties' foregoing Stipulation.

Dated: July 5, 2022

Carolyn K. Delaney
CAROLYN K. DELANEY

CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE